
By: **Delegate Doory**

Introduced and read first time: February 25, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Full-Day Kindergarten and Prekindergarten Programs -**
3 **Alternative Providers**

4 FOR the purpose of requiring county boards of education to determine in a certain
5 comprehensive master plan their current capacity to provide full-day
6 kindergarten programs and prekindergarten programs; requiring a county
7 board to include a description of the county board's process to contract with
8 certain alternative early learning and child care providers to provide certain
9 additional capacity under certain circumstances; requiring a county board to
10 contract with certain alternative early learning and child care providers under
11 certain circumstances; requiring a county board to address the capacity that is
12 available from alternative providers under certain circumstances; and generally
13 relating to requiring county boards of education to determine their capacity to
14 provide full-day kindergarten and prekindergarten programs.

15 BY repealing and reenacting, with amendments,
16 Article - Education
17 Section 7-101(e) and 7-101.1(d)
18 Annotated Code of Maryland
19 (2001 Replacement Volume and 2003 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Education**

23 7-101.

24 (e) (1) By the 2007-2008 school year, each county board shall provide
25 full-day kindergarten programs for all kindergarten students in that county.

26 (2) In the comprehensive master plan that is submitted under § 5-401 of
27 this article, a county board shall identify the strategies that will be used in that
28 county to ensure that full-day kindergarten programs are provided to all
29 kindergarten students in that county by the 2007-2008 school year.

1 (3) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN
2 SUBMITTED BY JULY 1, 2004, AND EACH PLAN SUBMITTED THEREAFTER, A COUNTY
3 BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO PROVIDE FULL-DAY
4 KINDERGARTEN PROGRAMS FOR THE 2006-2007 SCHOOL YEAR.

5 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
6 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
7 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS
8 TO CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND CHILD
9 CARE PROVIDERS FOR THE LESSER OF:

10 1. 20% OF THE ADDITIONAL CAPACITY REQUIRED; OR

11 2. THE DIFFERENCE BETWEEN THE COUNTY BOARD'S
12 CURRENT CAPACITY AND THE CAPACITY REQUIRED FOR THE 2007-2008 SCHOOL
13 YEAR.

14 (III) A COUNTY BOARD SHALL CONTRACT ONLY WITH AN
15 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDER THAT:

16 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
17 RESOURCES; AND

18 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
19 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
20 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
21 OF THE 2007-2008 SCHOOL YEAR.

22 (IV) 1. IF A COUNTY BOARD DEMONSTRATES IN ITS
23 COMPREHENSIVE MASTER PLAN THAT THERE IS INSUFFICIENT CAPACITY
24 AVAILABLE FROM ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO
25 MEET THE REQUIREMENT OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THEN THE
26 PROCESS DESCRIBED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL
27 ADDRESS ONLY THE CAPACITY THAT IS AVAILABLE FROM THE ALTERNATIVE EARLY
28 LEARNING AND CHILD CARE PROVIDERS.

29 2. IN ORDER TO DETERMINE THE CAPACITY ACTUALLY
30 AVAILABLE IN ACCORDANCE WITH SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH,
31 THE COUNTY BOARD SHALL CONDUCT A SURVEY OF EXISTING ALTERNATIVE EARLY
32 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY.

33 7-101.1.

34 (d) (1) In the comprehensive master plan that is submitted under § 5-401 of
35 this article, a county board shall identify the strategies that will be used in that
36 county to ensure that publicly funded prekindergarten programs are available to all
37 eligible children in that county by the 2007-2008 school year.

38 (2) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN
39 SUBMITTED BY JULY 1, 2004, AND EACH PLAN SUBMITTED THEREAFTER, A COUNTY

1 BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO PROVIDE PREKINDERGARTEN
2 PROGRAMS FOR THE 2006-2007 SCHOOL YEAR.

3 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
4 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
5 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS
6 TO CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND CHILD
7 CARE PROVIDERS FOR THE LESSER OF:

8 1. 20% OF THE ADDITIONAL CAPACITY REQUIRED; OR

9 2. THE DIFFERENCE BETWEEN THE COUNTY BOARD'S
10 CURRENT CAPACITY AND THE CAPACITY REQUIRED FOR THE 2007-2008 SCHOOL
11 YEAR.

12 (III) A COUNTY BOARD SHALL CONTRACT ONLY WITH AN
13 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDER THAT:

14 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
15 RESOURCES; AND

16 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
17 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
18 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
19 OF THE 2007-2008 SCHOOL YEAR.

20 (IV) 1. IF A COUNTY BOARD DEMONSTRATES IN ITS
21 COMPREHENSIVE MASTER PLAN THAT THERE IS INSUFFICIENT CAPACITY
22 AVAILABLE FROM ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO
23 MEET THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THEN THE
24 PROCESS DESCRIBED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL
25 ADDRESS ONLY THE CAPACITY THAT IS AVAILABLE FROM THE ALTERNATIVE EARLY
26 LEARNING AND CHILD CARE PROVIDERS.

27 2. IN ORDER TO DETERMINE THE CAPACITY ACTUALLY
28 AVAILABLE IN ACCORDANCE WITH SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH,
29 THE COUNTY BOARD SHALL CONDUCT A SURVEY OF EXISTING ALTERNATIVE EARLY
30 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 June 1, 2004.